

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

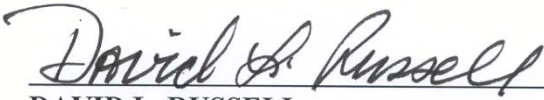
JAMAR J. DRAPER,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-16-1231-R
)	
JIM FARRIS,)	
)	
Respondent.)	

ORDER

Petitioner filed this action seeking relief under 28 U.S.C. § 2254 with regard to a state conviction from the District Court of Logan County. Pursuant to 28 U.S.C. § 636(b)(1)(B) and (C), the matter was referred to United States Magistrate Judge Bernard M. Jones for preliminary review. On October 30, 2017, Judge Jones issued a Report and Recommendation wherein he recommended that the Respondent's Motion to Dismiss (Doc. No. 18) be denied. He further recommended that Petitioner's Motion to Stay (Doc. No. 25) be denied and that the Respondent be ordered to respond to the petition within thirty days of any order adopting the Report and Recommendation, unless Petitioner voluntarily dismisses the Petition during that same time frame. The record reflects that neither party has filed an objection to the Report and Recommendation, the time for such objections has run, and no motions for additional time in which to object were filed by the parties. Accordingly, the Report and Recommendation (Doc. No. 26) is hereby ADOPTED IN ITS ENTIRETY. Respondent's Motion to Dismiss is hereby DENIED, as is Petitioner's Motion to Stay. Respondent shall file a response to the Petition within thirty days of entry

of this Order. Petitioner may voluntarily dismiss the Petition during that same time frame without leave of Court, which would eliminate any obligation of the Respondent. This matter is hereby re-referred to Judge Jones for additional proceedings.

IT IS SO ORDERED this 27th day of November 2017.



DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE